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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SYED WAJAHAT HUSSAIN,
Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security;
ROBERT S. MUELLER,
Director of Federal Bureau of Investigation;
Defendants.

No. C 08-0946 MEJ

**STIPULATION TO DISMISS WITHOUT
PREJUDICE; and ~~PROPOSED~~ ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice because the United States Citizenship and Immigration Services agrees to adjudicate Plaintiff's application for naturalization within 45 days of the dismissal of this action, provided Plaintiff does not commit a disqualifying act in the interim.

The parties further ask the Court to vacate the June 19, 2008 hearing on Plaintiff's motion to remand.

Each of the parties shall bear their own costs and fees.

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Stipulation to Dismiss
C 08-0946 MEJ

1 Dated: May 29, 2008

Respectfully submitted,

2 JOSEPH P. RUSSONIELLO
3 United States Attorney

4 /s/
5 ILA C. DEISS¹
6 Assistant United States Attorney
7 Attorneys for Defendants

8 Dated: May 29, 2008

9 /s/
10 JUSTIN X. WANG
11 Attorney for Plaintiff

12 **ORDER**

13 Pursuant to stipulation, IT IS SO ORDERED.

14 Plaintiff's Motion to Remand is DENIED as moot. The Clerk shall close the file.

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16 Dated: June 2, 2008

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18 MARIA ELENA JAMES
19 United States Magistrate Judge

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27 ¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures
28 indicated by a "conformed" signature (/S/) within this e-filed document.